

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

FLYPSI, INC. (D/B/A FLYP),

Plaintiff,

vs.

GOOGLE LLC,

Defendant.

Civil Action No. 6:22-cv-31-ADA

JURY TRIAL DEMANDED

OMNIBUS ORDER ON THE PARTIES' DISPUTED MOTIONS *IN LIMINE*

After considering briefing and holding oral arguments on January 17, 2024, the Court hereby enters its rulings on the following disputed Motions in *Limine*:

Plaintiff Flypsi, Inc. (d/b/a Flyp)'s disputed Motions in *Limine* (Dkts. 223, 237):

- Plaintiff's Motion in *Limine* No. 1 seeking to preclude any argument or evidence regarding inventorship or specific contributions of each inventor to the Patents-in-Suit is **DENIED**.
- Plaintiff's Motion in *Limine* No. 4 seeking to preclude any argument or evidence that Flyp has the burden to establish the changes in Google Voice is **DENIED**. Google stipulates that it will not suggest to the jury that Flyp has the burden of proof on Google's affirmative defense of prior use; however, Google shall be permitted to elicit testimony and argue that Flyp cannot identify changes to Google Voice during one or more particular time periods.

- Plaintiff's Motion in *Limine* No. 8 seeking to preclude any argument or evidence regarding the familial or personal relationships of Flyp employees or agents, or any potential witness is **GRANTED**.
- Plaintiff's Motion in *Limine* No. 10 seeking to preclude any argument or evidence regarding the circumstances of inventor Sunir Kochhar's termination from Flyp is **GRANTED** to the extent it is offered as character evidence regarding Mr. Peter Rinfret.

Defendant Google LLC's disputed Motions in *Limine* (Dkts. 226, 235):

- Defendant's Motion in *Limine* No. 1 seeking to preclude any evidence, testimony, or argument regarding undisclosed facts underlying the Dialpad Agreement as to which Flyp invoked privilege is **DENIED**.
- Defendant's Motion in *Limine* No. 3 seeking to preclude any evidence, testimony, or argument regarding the November 2015 meeting is **GRANTED**.
- Defendant's Motion in *Limine* No. 4 seeking to preclude any evidence, testimony, or argument suggesting that Google Voice was considered by the U.S. Patent Office in connection with the Asserted Patents is **DENIED**.

SIGNED this 31st day of January, 2024.


ALAN D ALBRIGHT
UNITED STATES DISTRICT COURT JUDGE